

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Sundaram VENKATRAMAN et al.

Grooup Art Unit: 1625

Application No.: 10/786,556

Examiner: P. L. Morris

Filed: February 28, 2004

For: CRYSTALLINE FORM Z OF RABEPRAZOLE SODIUM  
AND PROCESS FOR PREPARATION THEREOF

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

**RESPONSE**

This is submitted in response to the Office Action that was mailed on March 12, 2007 for the subject application, asserting that the Applicants' Amendment and Response submitted on March 5, 2007 is non-compliant. Applicants believe that their prior submission correctly identified the status of each claim, and respectfully request withdrawal of the instant Office Action.

The Office Action incorrectly stated that claims 10-25 were canceled in an amendment submitted on August 7, 2006. That amendment was submitted in response to a final rejection, and was not entered. See the handwritten direction for nonentry on the first page of the document in PAIR. The subsequent Advisory Action (dated August 11, 2006) stated that the proposed amendment would not be entered because it raised new issues and did not place the application in better form for appeal. Since the proposed amendment was not entered, it had no effect and claims 10-25 remain pending, but stand withdrawn from consideration.

Applicants' Amendment and Response of March 5, 2007 correctly identifies the status of claims 10-25 as "Withdrawn," since the earlier proposal to cancel them was not accepted. The status identifiers are therefore proper, and there is no factual basis for the holding of non-compliance.

Applicants' attorney has noted that there was a charge of \$200.00 to Deposit Account No. 50-3221 on March 5, 2007 for this application. The Fee Code is given as 1201, which appears to be for an "independent claim in excess of three."

Applicants did not present any new claims on that date, and, indeed, there presently seem to be only three pending independent claims. Thus, it is submitted that the charge was made in error, and its prompt reversal is requested.

Please contact the undersigned if any additional information or discussion is needed in connection with this matter.

Respectfully submitted,

/R. A. Franks/

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March 15, 2007

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